

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

STANLEY JACKSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civ. No. 17-5028 (RBK)

MEMORANDUM AND ORDER

Petitioner is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Previously, this matter was administratively terminated as petitioner did not pay the filing fee nor had he submitted an application to proceed *in forma pauperis*. Thereafter, petitioner submitted an application to proceed *in forma pauperis*. Therefore, the Clerk will be ordered to reopen this case.

Petitioner's application to proceed *in forma pauperis* will be denied without prejudice.

Local Civil Rule 81.2(b) provides that:

Whenever a Federal . . . prisoner submits a . . . petition for writ of *habeas corpus* . . . and seeks *in forma pauperis* status, the prisoner shall also submit an affidavit setting forth information which establishes that the prisoner is unable to pay the fees and costs of the proceedings and shall further submit a certification signed by an authorized officer of the institution certifying (1) the amount presently on deposit in the prisoner's prison account and, (2) the greatest amount on deposit in the prisoner's prison account during the six-month period prior to the date of the certification.

L.Civ.R. 81(b). Petitioner has not filed a complete affidavit nor has his prisoner account statement been certified by the appropriate prison official. Therefore, it is incomplete. Accordingly, this matter will be administratively terminated. Petitioner shall be given thirty days in which to reopen

this action by either paying the \$5.00 filing fee or submitting an application to proceed *in forma pauperis*.

Therefore, IT IS this 28th day of July, 2017,

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that petitioner's application to proceed *in forma pauperis* is denied without prejudice; and it is further

ORDERED that the Clerk shall re-administratively terminate this case for petitioner's failure to pay the requisite filing fee of \$5.00 or submit a complete application to proceed *in forma pauperis*, and it is further

ORDERED that if petitioner wishes to reopen this action, he shall notify the Court within thirty (30) days of the date of entry of this Order, in writing; petitioner's writing shall include the \$5.00 filing fee or a complete application to proceed *in forma pauperis*; and it is further

ORDERED that the Clerk shall serve a copy of this order on petitioner by regular U.S. mail as well as a copy of the blank form of a prisoner applying for *in forma pauperis* status in a habeas corpus case.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge